

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**DAVE BRAINARD,
JUSTIN FAGERHAUG pka DUSTIN
EVANS,, and TIM
MATHEWS,**

Plaintiffs,

v.

**PHIL VASSAR, CRAIG
WISEMAN,
PHYLVESTER MUSIC, INC.,
BIG LOUD SHIRT INDUSTRIES,
L.L.C. BMG MUSIC,
and PROCTER &
GAMBLE COMPANY,**

Defendants.

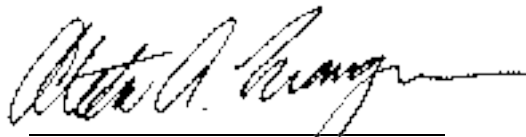
**Case No. 3:07-0929
Judge Trauger**

ORDER

For the reasons expressed in the accompanying Memorandum, the Motion for Summary Judgment of defendants Phil Vassar, Craig Wiseman, Phylvester Music, Inc., Big Loud Shirt Industries, LLC, BMG Music, and Procter & Gamble Company (Docket No. 71) is **GRANTED**. The Motion for Summary Judgment of defendant Procter & Gamble (Docket No. 67) and the defendants' Motion to Strike (Docket No. 107) are **DENIED AS MOOT**. This case is **DISMISSED**.

It is so ordered.

Enter this 29th day of April 2009.



ALETA A. TRAUGER
United States District Judge